IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3557 OF 2004

IN

SUIT NO.2316 OF 2003

Champaklal Mulchand Lakhani. ... Plaintiff.

vs.

1. Mansukhlal Mulchand Desai & others. .... Defendants.

Mr.M.A.Shah i/b A.G.Shah, for Plaintiff.

None for defendatns.

CORAM: D.K.DESHMUKH,J.

DATED: 1st December, 2005

P.C.:-

1. This is a notice of motion taken out by the plaintiff. The learned Counsel appearing for the plaintiff states that there is already a consent decree between the plaintiff and defendant nos. 1 to 4 and 6. He states that defendant no.5 has also been served with the suit summons and the affidavit of service has been filed. This notice of motion is also served on defendant no.5. The defendant no.5 is not appearing. The defendant no.5 has also not filed any written statement. In this view of the matter therefore, the notice of motion is granted in terms of prayer clause (b). The notice of motion is disposed

of.